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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,993	10/31/2003	Jaime E. Garcia	DEL 02-16-3	8865

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SUITER WEST PC LLO  
14301 FNB PARKWAY  
SUITE 220  
OMAHA, NE 68154

EXAMINER

NGUYEN, PHONG H

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/698,993	GARCIA ET AL.	
	Examiner	Art Unit	
	Phong H Nguyen	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 15-26 is/are pending in the application.
- 4a) Of the above claim(s) 12-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 15-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

### **DETAILED ACTION**

1. Applicant's election of group I, claims 1-11 and 15-26, without traverse is acknowledged.

#### ***Claim Objections***

2. Claims 5 and 18 are objected to because of the following informalities: on line 3, "when saw blade" should be likely --when the saw blade--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 4, 5 and 15-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites the limitation "the third bevel" in lines 4 and 5. There is insufficient antecedent basis for this limitation in the claim.

Claims 4 and 15 recite the limitation "the gudgeon". There is insufficient antecedent basis for this limitation in the claim.

Claim 26 recites the limitation "the arbor assembly" in line 2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4, 6-9, 15-17 and 19-26 rejected under 35 U.S.C. 102(e) as being anticipated by Yu (6,684,750 B2).

Regarding claims 1 and 23, Yu teaches a table saw assembly comprising:

a table assembly having a throat for a saw blade 101 and a table surface for receiving a work piece; and

a bevel assembly for beveling the saw blade between a first bevel of at least approximately 45 degrees in a first direction from a plane normal to the table surface and a second bevel of at least approximately 45 degrees in a second direction from a plane normal to the table surface,

wherein the bevel assembly is capable of positioning the saw blade for providing full depth of cut when the saw blade is beveled to either of the first bevel and the second bevel.

See Figs. 1, 4, 6A and 6B.

Regarding claims 2, 3, 24 and 25, an arbor assembly and a motor 39 are best seen in Fig. 5.

Regarding claim 4, the bevel assembly comprising:

- a mounting bracket for mounting the bevel assembly within the table saw;
- a trunnion engaged with the mounting bracket for rotating with respect to the mounting bracket; and

- a bevel member engaged with the trunnion, the bevel member for rotating with respect to the trunnion,

wherein the bevel member rotates within the trunnion for beveling the saw blade to between the first bevel and a third bevel at least substantially normal to the table surface, and wherein the trunnion rotates in the gudgeon and the bevel member rotates in the trunnion for beveling the saw blade between the third bevel and the second bevel.

Regarding claims 6 and 19, a bevel adjustment assembly is best seen in Fig. 4.

Regarding claims 7 and 20, removable pins for coupling the bevel member to the trunnions are best seen in Fig. 3.

Regarding claims 8 and 21, a wheel 36 for controlling the position of the bevel member and the trunnion as the saw blade 40 is beveled. See Fig. 4.

Regarding claims 9 and 22, a worm gear 362 and 325 is best seen in Fig. 4 and 6A, B.

Regarding claim 15, Yu teaches a bevel assembly comprising:

- a mounting bracket for mounting the bevel assembly within the table saw;
- an arbor assembly for receiving the saw blade so that the saw blade extends through the throat, the arbor assembly for turning the saw blade;

a trunnion engaged with the mounting for rotating with respect to a gudgeon;

a bevel member engaged with the trunnion and the arbor assembly, the bevel member for rotating with respect to the trunnion,

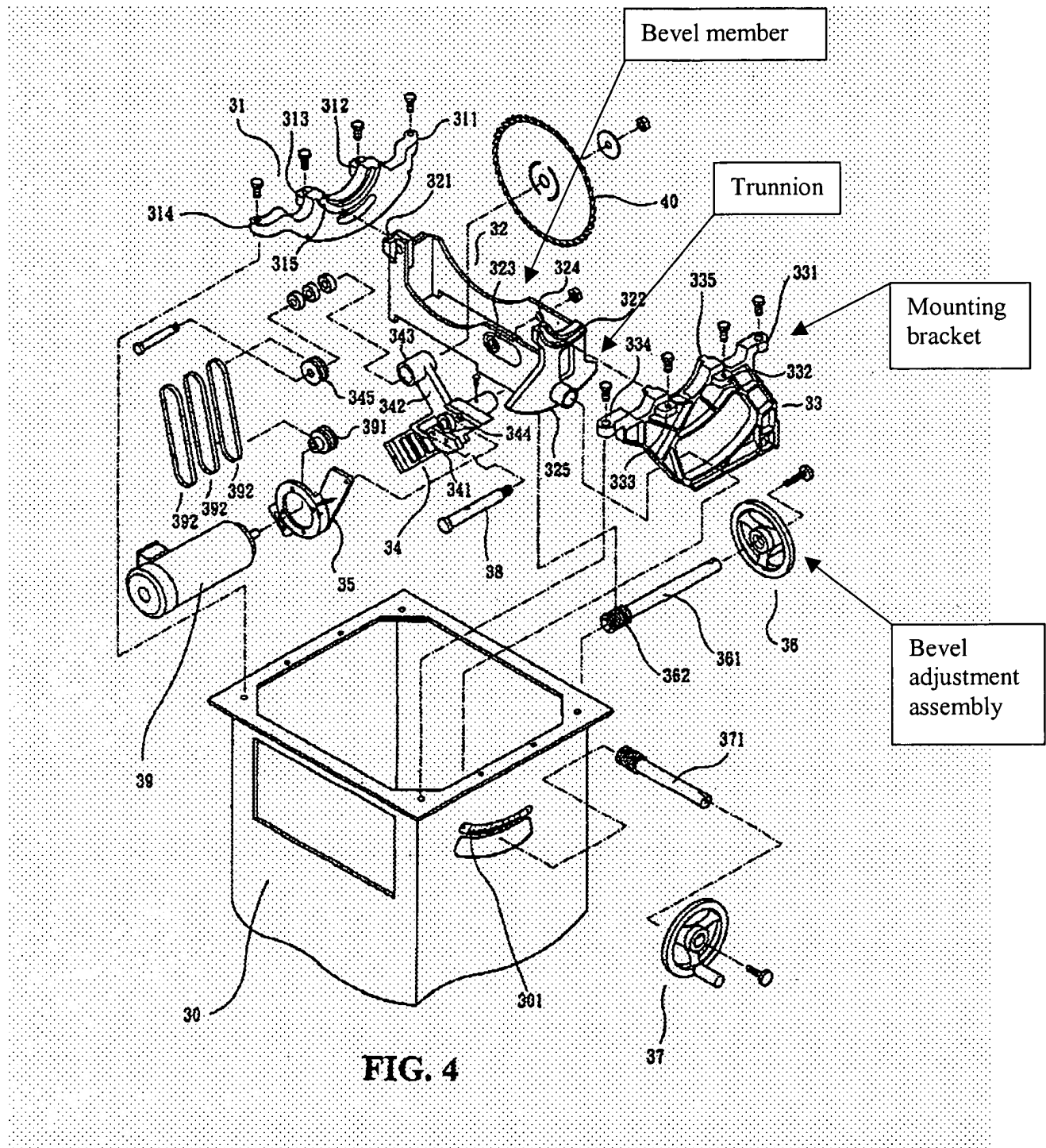
wherein the bevel assembly bevels the saw blade between a first bevel of at least approximately 45 degrees in a first direction from a plane normal to the table surface and a second bevel of at least approximately 45 degrees in a second direction from a plane normal to the table surface, the bevel assembly positioning the saw blade for providing full depth of cut when the saw blade is beveled to either of the first bevel and the second bevel.

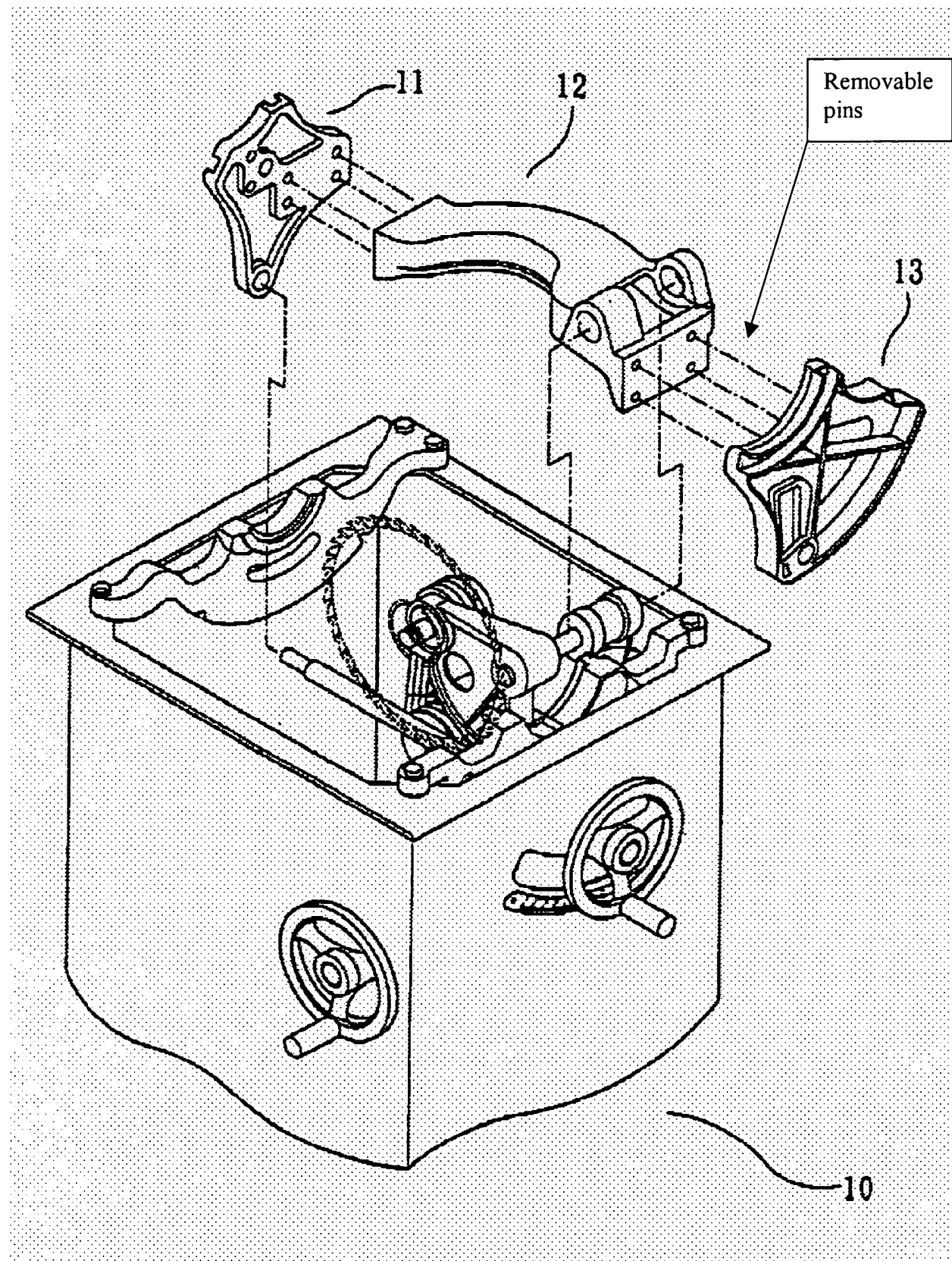
See Figs. 4-6.

Regarding claim 16, see Figs. 4-6.

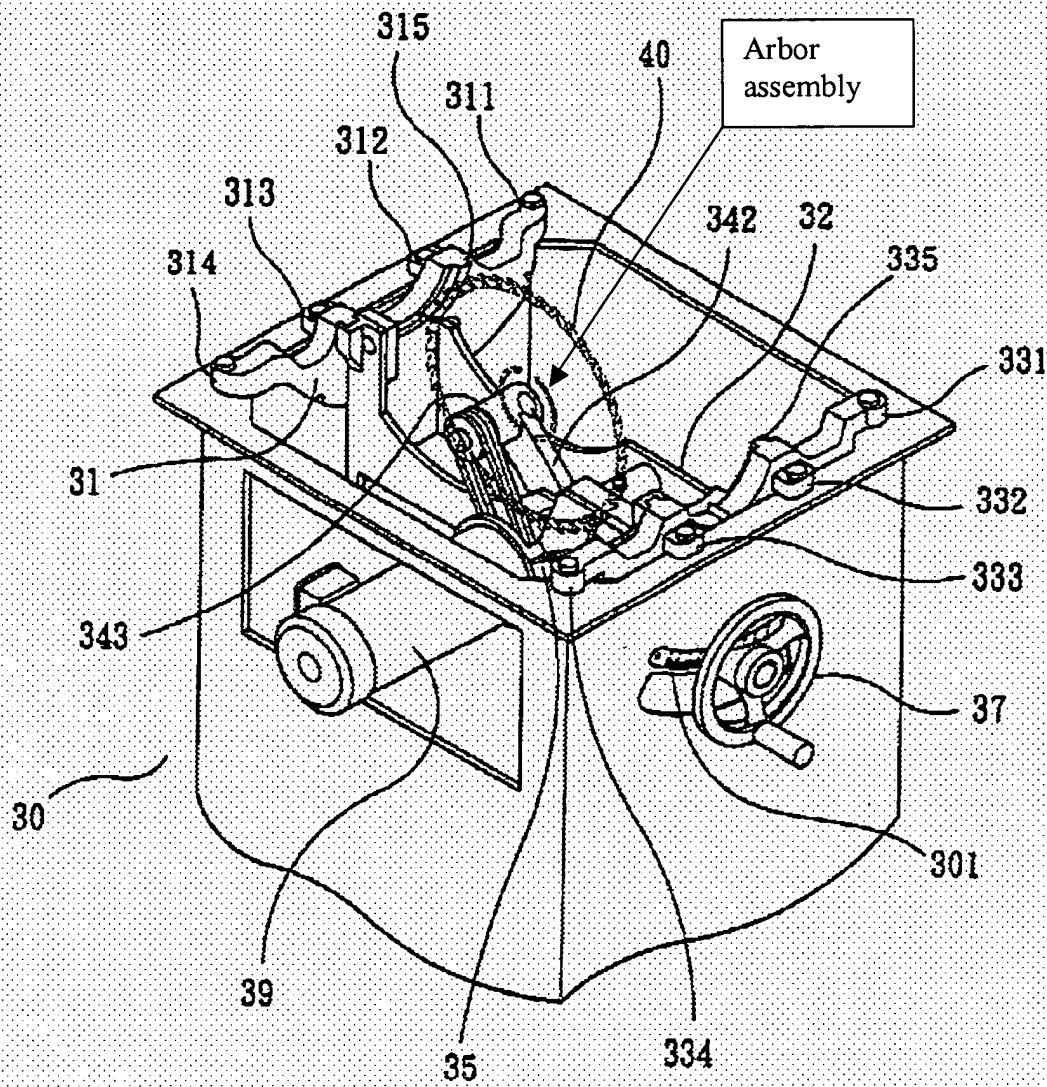
Regarding claim 17, a support for supporting a motor 39 is best seen in Figs. 5 and 6A,B.

Regarding claim 26, a means 102 for providing access to the arbor assembly is best seen in Fig. 1.









**FIG. 5**

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

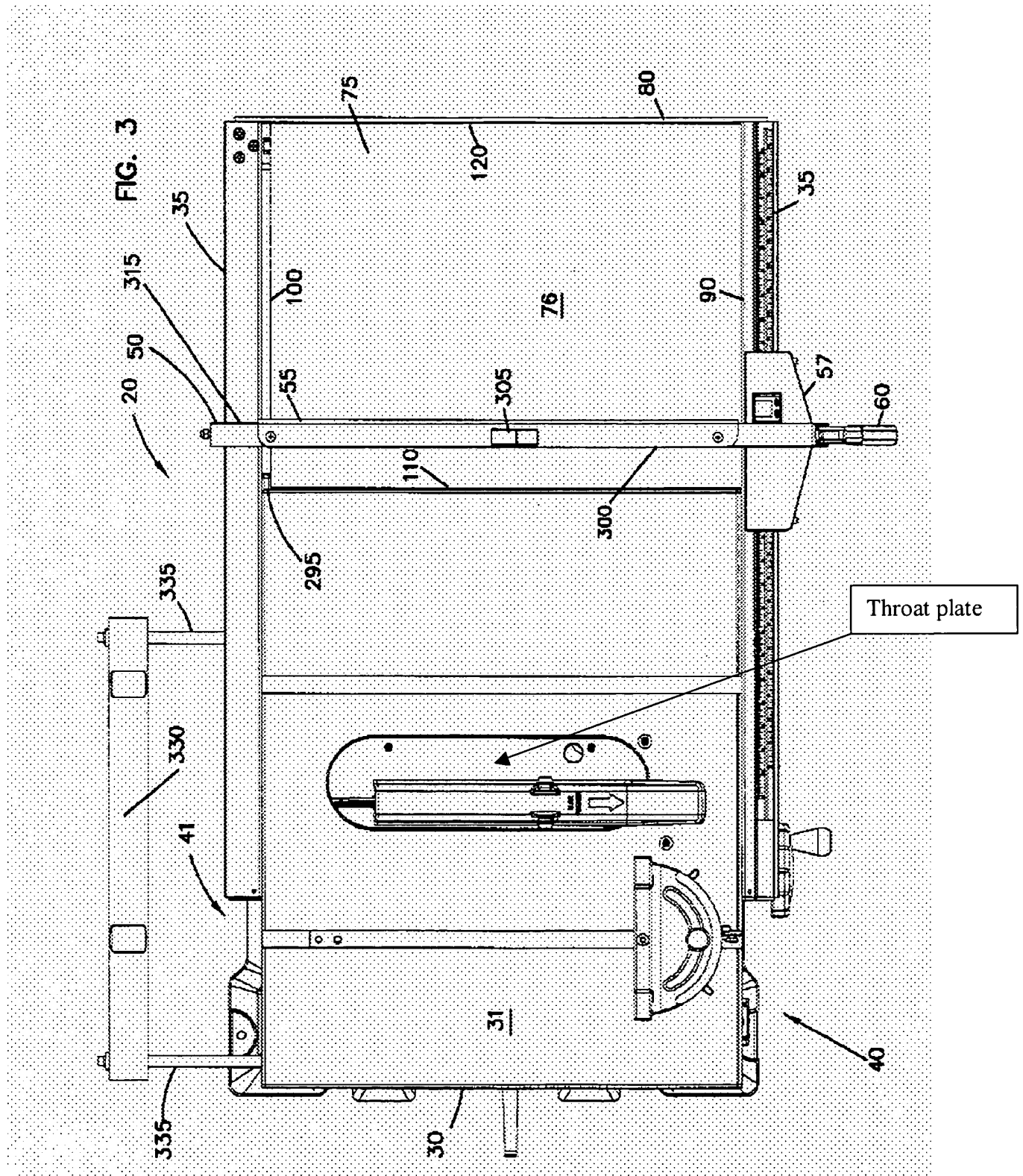
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (6,684,750 B2) in view of Carson (299,619).

Yu teaches the invention substantially as claimed except for a motor having a first arbor and a second arbor. Carson teaches a motor having a first arbor and a second arbor. See Figs. 1-3. It would have been obvious to one skilled in the art to incorporate a motor having two arbors for receiving two blades as taught by Carson to the table saw of Yu to trim two edges of a work piece simultaneously.

9. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yu (6,684,750 B2) in view of Behme et al (6,736,042 B2), hereinafter Behme.

Yu teaches the invention substantially as claimed except for a throat plate. Behme teaches a throat plate having an inner throat plate and an outer throat plate wherein the inner throat plate including a slot with the saw blade extends. See Fig. 3. Therefore, it would have been obvious to one skilled in the art to incorporate the throat plate as taught by Behme to the saw table of Yu so that a saw operator can access to the arbor easily.



***Conclusion***


10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Park et al. (6,530,303 B1), Wang (6,546,836 B2) and Copp (3,011,529) teach saw table assemblies of general interest.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phong H Nguyen whose telephone number is 703-305-4989. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703-308-1082. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PN:   
October 13, 2004

  
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Group 3700